DENVER
THE MILE HIGH CITY

Bylaws of the Cherry Creek North Design Advisory Board
City and County of Denver

Adopted on November 8, 2022

I. Election of Officers

Section 1 The Board shall elect a Chairperson and Vice-chairperson

- Election occurs at the first regular meeting in September of each calendar year
- The Chairperson and Vice-chairperson shall hold office for one year, or until their successors are selected. Both officers may serve any number of terms but no more than three consecutive terms

Section 2 The Chairperson shall preside at all meetings and shall be responsible for the conduct of such meetings in accordance with these bylaws and Attachment A: Procedures for Board Meetings.

Section 3 The Vice-chairperson shall perform the duties of the Chairperson in the event of the Chairperson's absence. In the event the Chairperson and Vice-chairperson are both absent, a majority of the Board members present may elect a Chairperson Pro-Tem, who shall chair only that meeting, and only so long as the Chairperson and Vice-chairperson remain absent.

Section 4 Should the office of Chairperson or Vice-chairperson become vacant, the Board shall elect a successor from its membership at the next regular meeting to fill the unexpired term of said office.

II. Meeting Schedule and Notification

Section 1. Regular meetings of the Cherry Creek North Design Advisory Board (CCN DAB or the "Board") shall be held monthly at a time and location selected by the Board. Special meetings may be held as needed, subject to the concurrence of a majority of Board members.

Section 2 City staff shall provide a draft meeting agenda to the applicable City Council District office, the offices of at-large City Councilmembers and all Registered Neighborhood Organizations within 200 feet of any area covered by the adopted Design Standards and Guidelines at least 5 calendar days prior to a Board meeting at which development applications may be considered; provided, however, that emergency meetings of the Board may be called by the Chairperson upon two days' notice.

Section 3 City staff shall electronically distribute applicant submittal packages and accompanying staff reports to the Board at least 5 days prior to a Board meeting.

Section 4 No later than 24 hours prior to a Board meeting, Board members shall inform the Chairperson and staff of any significant design elements/issues that they feel were not addressed in the staff report to allow the Chairperson and staff to prepare for discussion of those items at the Board meeting.

Section 5 The Board, at its discretion, may review proposals and provide findings and recommendations electronically.

Section 6 The Chairperson may cancel a Board meeting for cause, including absence of a quorum, lack of business to conduct or other unforeseeable circumstances. Notice of such cancellation shall be given to the members at least 24 hours in advance of the time of the meeting, if possible.

Section 7 When feasible, Board members shall inform the Chair and staff if they will be unable to attend the upcoming board meeting a minimum of 24 hours prior to the upcoming Board meeting.

III. Meeting Procedure

Section 1 All meetings held by the Board shall be open to the public.

Section 2 No official business of the Board shall be conducted unless a quorum of not less than 4 voting members is present. A concurring vote of a majority of the members present and voting is necessary to constitute an official action of the Board.

Section 3 Any Board member having a financial interest in an application before the Board shall not participate in consideration of such measure as a Board member, and shall recuse themselves from voting, as well as leave the room for the duration of that project's review.

Section 4 The Board shall follow a standard procedure when reviewing each application for development in the design review area, as summarized below:

- Chairperson opens the meeting
- Applicant presents their proposal
- City staff presents the application, conformance with adopted design standards and guidelines and staff recommendations
- Chairperson announces opportunity for public testimony
- Board asks questions of staff, applicant or members of the public
- Applicant is excused from table discussion
- Board deliberates and provides recommendations

See Attachment A "Procedures for Board Meetings" for additional details.

Section 5 The Board shall base their findings and recommendations on the consistency of the proposed application submitted to staff in advance of the meeting with the adopted Design Standards and Guidelines.

Section 6 City staff shall keep minutes of all meetings. Such minutes will become part of the public record.

Section 7 The parliamentary rules contained in Robert's Rules of Order, latest revision, shall govern in all cases to which they are applicable, except as modified by these bylaws and Attachment A.

IV. Amendments

Section 1 These by-laws may be amended at any regular Board meeting, provided that written notice of such amendments shall have been given to all Board members, at least five days prior to such meeting.

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Attachment A to the Bylaws of the Cherry Creek North Design Advisory Board City and County of Denver

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Procedures for Board Meetings

I. Initial Procedures

- Chairperson welcomes Board members and any members of the public
- Chairperson makes statement on the role and authority of the Board (not necessary if no public present)
- Chairperson requests motion for approval of previous meeting minutes
- Chairperson lists development applications for consideration

II. Open Meeting on Individual Development Application

- Chairperson announces subject of meeting
- Chairperson reviews meeting process
- Chairperson declares meeting open

III. Applicant Presentation

- Applicant shall present information consistent with the design submittal package provided to staff in advance of the meeting. Supplemental information may be included but shall not deviate substantially from the submitted design.

- Board members may ask questions or request further explanations of Applicant during Applicants presentation.

- Applicant Presentation of a project Site Design and Massing – 10-15 min
  - Description of project and project goals
  - Presentation of relevant context material, massing analysis, conceptual site plan, three-dimensional massing renderings, street sections and expression of enclosure ratio, and floorplate sizes (where applicable)
  - Applicant statement on conformance with design goals for the area, intent statements, and design standards and guidelines as described in the Site Design and Massing Submittal and Compliance Checklist

- Applicant Presentation of a project Design* – 10-15 min
  - Description of project and project goals
  - Confirmation of site design and massing elements
  - Presentation of detailed site plans, floorplans, façade design, building sections, and three-dimensional architectural renderings
  - Applicant statement on conformance with design goals for the area, intent statements, and design standards and guidelines as described in the Design Review Submittal and Compliance Checklist

*Most listed presentation items are not necessary at follow-up design review meetings to allow additional time for presentation of design revisions since the previous meeting.

IV. Staff Presentation

- Staff Presentation of a project Site Design and Massing – approximately 10-15 min
  - Contents of applicant Site Design and Massing Review submittal
  - Conformance with design standards and guidelines relevant to Site Design and Massing Review
  - Staff recommendation on concerns/issues with Site Design and Massing Review submittal for Board discussion

- Staff Presentation of a project Design – approximately 15 min
  - Contents of applicant Design Review submittal
  - Conformance with design standards and guidelines relevant to Design Review
  - Staff recommendation on concerns/issues for Board discussion and recommendation of approval, approval with conditions or denial of Design Review submittal

V. Public Testimony

- Chairperson asks members of the public if they would like to speak regarding the development application for Board consideration.
  - Speakers shall state their name and address
  - Speakers should indicate whether they support, oppose or are neutral regarding the development application based on the Design Standards and Guidelines
  - Speakers shall be limited to 3 minutes each

VI. Board Questions

- Chairperson asks if Board members have questions for
  - City staff
  - Applicant
  - Members of the public who spoke during public testimony

VII. Board Deliberation and Recommendation

- The Board shall deliberate and make a motion based on the design submittal package provided by the applicant to staff in advance of the meeting.

- Board Deliberation and Recommendation for a project Site Design and Massing
  - Conformance with design standards and guidelines relevant to Site Design and Massing Review
  - Discussion of City staff recommendation
  - Board direction for applicant - A Board member may make a motion to recommend that the Site Design and Massing Review submittal:
    - Proceed to design review with recommended revisions

        - Return to a Site Design and Massing Review meeting with recommended revisions (generally only when recommended revisions would fundamentally change the project's site design and massing characteristics)
    - A Board vote shall be taken and recorded in minutes

- Board Deliberation and Recommendation for a project Design
    - Conformance with design standards and guidelines relevant to Design Review
    - Discussion of City staff recommendation
    - Board direction for applicant or City staff - A Board member may make a motion to recommend that the Design Review submittal:
        - Be approved
        - Be approved with conditions
        - Return to follow-up Design Review meeting after making recommended revisions
        - Be denied
    - A Board vote shall be taken and recorded in minutes

VIV. General Information Items and Other Business

- Chairperson, Board members, or staff present general information on subjects relevant to the Board, Cherry Creek North development, and/or design efforts within the city — approximately 15 min.
- Board discusses and provides feedback as necessary